

Obesity & the Built Environment

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Introductionⁱ

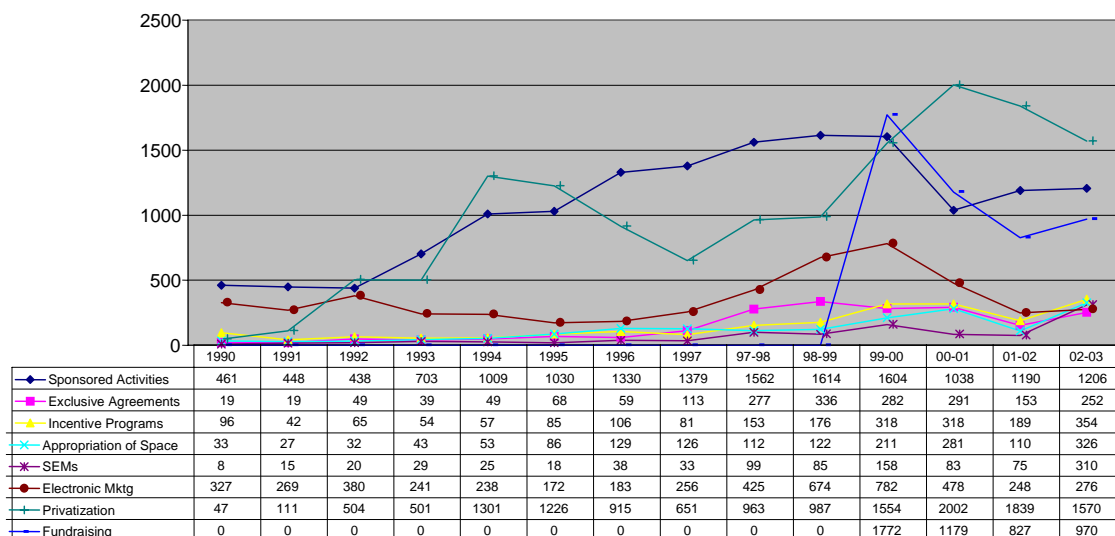
Schools in the United States have, over the past thirty years, taken on increasing responsibilities and at the same time have often seen a reduction in the resources available to them. They are under powerful political and economic pressure to find non-public funds to support their programs and to collaborate with corporations. In this environment, it is not surprising that many schools have turned a blind eye toward corporate advertising and in some instances have embraced it. As schools have become more vulnerable to special interest influence, they have also faced pressure to narrow the focus of their academic programs. High-stakes testing programs, for example, place a premium on reading and math, especially in elementary schools. This means that programs associated with health, nutrition, and fitness are likely to claim less time in the school day and have fewer resources than necessary to be effective. Although school health and nutrition programs may be under threat, billions of corporate dollars are spent in and out of school to promote a broad array of products and services that, among other things, encourage children to make nutritional choices that are most profitable for corporations though not necessarily the most healthful.

Commercial Activities in Schools

The Commercialism in Education Research Unit (CERU) of the Education Policy Studies Laboratory at Arizona State University has been monitoring media references to schoolhouse commercialism for more than a decade. For the July 1, 2002-June 30, 2003 period, in all but two of eight categories that CERU tracks, media references were up (see Figure 1 on the next page). Examination of those references shows that in-school commercialism and corporate activities designed to boost company profits, directly or indirectly, are as firmly entrenched as at anytime since CERU and its predecessor, the Center for the Analysis of Commercialism in Education (CACE) at the University of Wisconsin-Milwaukee, began its monitoring.

ⁱ This paper was prepared with research assistance from Daniel Allen of the Education Policy Studies Laboratory.

Figure 1: Overall Trend, By Commercializing Activity, All Presses 1990-2003



Source: Molnar, A. (2003, Sept.). *No Student Left Unsold: The Sixth Annual Report on Schoolhouse Commercialism Trends, Year 2002-03*. Tempe, AZ: Commercialism in Education Research Unit, Arizona State University. Online at: <http://www.asu.edu/educ/eps/CERU/Annual%20reports/EPsL-0309-107-CERU.doc>

The rapid growth of commercially sponsored activities and materials promoting the consumption of foods of little or no nutritional value in particular schools raises fundamental issues of public policy. Although schools are, for example, important venues for teaching students about health and nutrition, they now commonly participate in marketing programs that undermine the health messages of their curriculum. Marketing has become part of the social and educational environment of America's public schools – and it is toxic.

Exclusive marketing arrangements with soft drink and fast food companies, placement of vending machines offering candy and high fat, salty snacks, “educational materials” sponsored by fast food outlets, incentive programs and contests that encourage the consumption of unhealthful foods, and direct advertising of junk food on Channel One and via other electronic marketing media constitute a pervasive informal curriculum that sends children powerful and harmful health messages.

Exclusive Agreements & Student Health

References to agreements that give marketers exclusive rights to sell a product or a service on school or district grounds and to exclude competitors were up by 65%, to 252 citations from 153 in 2002-03. Most of the citations referred to exclusive agreements with bottling companies. At least in part the increase is the result of such agreements coming under attack. On the one hand, a number of news reports covered new contracts between schools and marketers, usually soft drink companies. On the other, the problems with such agreements, particularly their potential for harm to children's health, drew increasingly critical scrutiny. In some communities or states, schools, school boards, or legislators enacted or sought limits on such agreements. In some communities agreements were adopted without controversy. DeKalb County Georgia, for example,

signed a \$10 million five year contract granting Coca-Cola exclusive rights to supply drinks and sponsor certain programs in county schools.¹ In other communities there was considerable controversy. In 2002, parents in Charleston, South Carolina, were upset enough to threaten to challenge the local school district's approval of an 8.1 million, 5-year contract with Pepsi Bottling Group.²

It appears that exclusive agreements put pressure on school districts to increase the number of soft drink vending machines in schools in order to increase sales. In 2000, the U.S. General Accounting Office reported that in many cases, exclusive agreements with bottlers contained consumption clauses – i.e. schools got more when more soft drinks were sold.³ Daniel Michaud, business administrator for the Edison, N. J., public schools, told the Washington Post in 1999 that prior to signing an exclusive contract with Coke few Edison schools had vending machines. After signing the contract, most district high schools had four machines, middle schools had three, and elementary schools one.⁴ As Kelly Mullen, a student at a Rhode Island high school with an exclusive contract, commented, “There’s really nothing else to drink.”⁵ That’s exactly the way the bottlers that seek exclusive agreements want it.

As soft drink consumption has increased so too has the waist line of American children. The Washington Post reports that, according to the Beverage Marketing Corporation, annual consumption per capita of soda has increased from 22.4 gallons in 1970 to 56.1 gallons in 1998.⁶ The Center for Science in the Public Interest found that a quarter of the teenage boys who drink soda drink more than two 12-ounce cans per day and five percent drink more than 5 cans. Girls, although they drink about a third less than boys, face potentially more serious health consequences.⁷ With soda displacing milk out of their diets, an increasing number of girls may be candidates for osteoporosis.

Despite the health warnings aimed at limiting the availability of foods of minimal nutrition value, including soft drinks, on school campuses, it appears that an overwhelming majority of schools continue to place their students at risk. The Centers for Disease Control and Prevention (CDC) “School Health Policies and Programs Study” (SHPPS) survey, which assesses school health policies and programs at the state, district, school and classroom levels, found that the food products most often offered in school vending machines are soft drinks, sports drinks, fruit drinks, salty snacks not low in fat, and baked goods not low in fat.⁸ Moreover, the CDC found only 12.4% of schools prohibit junk foods.

The Backlash Against Sugar

As more attention focused on problems of childhood obesity and the fears that diets heavy in sugary snacks may contribute to Type 2 diabetes, attacks on exclusive soft-drink agreements and the marking of food of little or no nutritional value in schools increased. *US News & World Report* cited CDC studies showing that 73.9% of middle and junior high schools, and 98.2% of high schools, have vending machines or snack bars selling high-calorie snacks and soft drinks.⁹ “Even Education Secretary Roderick Paige negotiated a \$5 million exclusive contract with Coca-Cola in 2000 when he headed the Houston school district,” the magazine noted.¹⁰

A *San Diego Union-Tribune* writer charged that a local school board had “compromised the health of children in exchange for cash” when agreeing to a five-year, \$800,000 Pepsi agreement.¹¹ The school district’s contract, columnist Logan Jenkins

wrote, would “make it more likely that the students under its charge will be fat, diabetic and wired.”¹² An Alaska public health physician editorialized in favor of banning soda from schools and compared that effort with “the struggle to ban smoking from schools 20 years ago.”¹³ In Minnesota, high school coaches joined in condemnation of soft drinks and “are advising athletes to lay off the pop if they want to stay healthy and competitive.”¹⁴ One coach unplugged pop machines during practice; others posted signs warning machines were off limits at summer football camp.¹⁵ In their opposition, these coaches followed in the footsteps of dentists, who had lobbied Minnesota’s legislature unsuccessfully to ban soda sales during school hours.¹⁶

Bans and regulation have become more common. In 2003 Paul Vallas, the Philadelphia schools’ chief executive officer, sought a ban on soda in schools.¹⁷ New York City schools also banned soda, sweet snacks and candy from vending machines in 2003.¹⁸ The Texas Education Agency directed districts as of the fall of 2002 to stop selling “foods of minimal nutritional value” in cafeterias, hallways, or common areas.¹⁹ California legislation set standards for food sold in elementary schools that would shut out sodas, high-fat foods, and high-sugar, low-juice fruit drinks.²⁰ Separately, the state legislature passed a ban later signed into law on soda sales in California schools, a year after a similar ban was defeated.²¹ The Los Angeles school district banned soft drink sales during school hours, effective in 2004 – while principals and students worried about how to fund the field trips, dances, and athletic programs the vending machine money had paid for.²² The district’s action drew worldwide attention. Capistrano Unified School District in South Orange County, California, went further, banning not only sodas but also junk foods from vending machines.²³ Perhaps the most comprehensive efforts to promote good nutrition in school have taken place in San Francisco schools, where snack bars and vending machines have recently been scrapped in favor of healthy snacks.²⁴

A number of professional organizations have also spoken out against the promotion of commercialism in public schools, outlining the negative effects of commercial marketing on children, and developing voluntary guidelines to promote healthier food options on campus. In February, 2004, the American Psychological Association issued its guidelines for commercial marketing to children, including a recommendation to prohibit any type of marketing to young children while at school.²⁵ The National Association of State Boards of Education developed sample policies to promote healthy eating²⁶ and the American Academy of Pediatrics has taken a position critical of advertising aimed at children, in general, and critical of school-based advertising that promotes unhealthy lifestyle choices in particular.²⁷

Competitive and Legal Challenges

Concern about the negative impact of soft drink consumption on children’s health was a primary source of criticism of such agreements, but it was not the only one. In Utah, a local water bottler complained that exclusive Pepsi and Coke contracts at universities and high schools in the state kept his products out.²⁸ In New York, the Quality Beverage Association, joined by individual taxpayers and residents, filed a lawsuit challenging exclusive soft drink agreements on the grounds that the New York Education Commissioner, in authorizing such agreements, violated state law concerning the after-hours use of school property, the state constitutional prohibition on using public property for the benefit of a private corporation, the state law governing competitive

bidding of public contracts, and the regulation prohibiting commercialism on school property.²⁹ While a ruling regarding the practice of commercialism on school property is still under consideration, the commissioner did rule in March 2004 that all future contracts must strictly comply with competitive bidding laws.³⁰ In Seattle, city school board members were warned that lawsuits could follow if the board went ahead in approving the extension of an exclusive vending machine contract with Coca-Cola. Lawyers who threatened the lawsuit noted that board members had a “fiduciary duty to protect students’ health” and that approving the contract in spite of the health risks associated with carbonated soda consumption could be grounds for negligence.³¹

Defending Exclusive Agreements

Efforts to block exclusive agreements remain contentious. The California Teachers Association joined the food industry in blocking a California bill in 2002 to end soft-drink sales in all schools, complaining that the schools needed the revenue.³² Pasco County, Florida, schools considered relaxing rules so that soda would be available any time of day in the high schools, rather than just at the end of the day.³³ An Ohio reporter’s article on the sodas-in-schools controversy noted that soda was an overwhelming preference of students, who rejected milk and water in favor of soft drinks.³⁴ When in 2003 the Denver Public Schools considered ending an agreement with Pepsi that was up for renewal, the *Denver Post* editorialized against doing so. “With a down economy and extremely tight budgets everywhere, it’s not the time to kiss off millions of private dollars,” the newspaper said.³⁵ (It did advocate giving students “healthier options” at the same prices as soda.)

Still other districts sought compromise. Redlands East Valley High School in California proposed an agreement with Coke that would ensure a wider range of non-carbonated – and therefore presumed to be healthier – drinks.³⁶ Buffalo, New York, schools agreed to a 10-year, \$4 million snack vending machine contract that excluded carbonated beverages. “District officials say the deal is both a substantial money-maker and a healthier option for children, because it will exclude carbonated beverages,” the *Buffalo News* reported.³⁷ One board member wasn’t convinced, voting against the agreement and having earlier complained of “the high sugar content and low nutritional value” of the products that would be sold.³⁸

Conclusion

While there are little or no primary data available that systematically capture the breadth and impact of school-based marketing, school commercialism trends research utilizing secondary sources conducted by the Commercialism in Education Research Unit (CERU) broadly suggests that commercial activities in schools are increasing.³⁹ Additionally, candy and snack food manufacturers, soft drink bottlers, and fast food restaurants, are among the companies that market most heavily in schools. Taken together these trends suggest that the public school environment is increasingly shaped by marketing messages that undermine student health and create an unhealthy environment for children.

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